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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/070,296	03/05/2002	Randell L. Mills	2281-REL	2830
20736	7590	11/18/2003	EXAMINER	
MANELLI DENISON & SELTER 2000 M STREET NW SUITE 700 WASHINGTON, DC 20036-3307			SMITH, JOHNNIE L	
			ART UNIT	PAPER NUMBER
			2881	

DATE MAILED: 11/18/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/070,296	MILLS, RANDELL L.	
	Examiner	Art Unit	
	Johnnie L Smith II	2881	

-- *Th MAILING DATE of this communication appears on the cover sheet with the correspond nc address --*
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 March 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>3</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 7-19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
3. Claim 7, line 3, the term "gravitating means" lacks a proper antecedent basis, thus should be -- gravitating mass --.
4. Claim 8, lines 3-4, the term "the central vector of the gravitational force" lacks a proper antecedent basis.
5. Claim 10, line 5, the term "gravitating mass" lacks a proper antecedent basis, thus should be -- gravitating body --.
6. Claims 11-14, line 1, the terms "The method of claim 10", "The method of claim 11", "The method of claim 12", and "The method of claim 10" lack a proper antecedent basis because the claim 10 recites an apparatus, thus should be -- The apparatus of claim 10 --, --The apparatus of claim 11 -- -- The apparatus of claim 12 --, and -- The apparatus of claim 10 --, respectively.

7. Claim 17, lines 4-5, the term "circulating rotatable structure" lacks a proper antecedent basis, thus should be -- said circulating rotatable structure --. line 6, the term "the angular momentum vector" lacks a proper antecedent basis. line 7, the term "the central vector of the gravitational force" also lacks a proper antecedent basis.

8. Claim 19, lines 8-9, the term "said oppositely curved element of matter" lacks a proper antecedent basis.

Claim Rejections - 35 USC § 101

9. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

10. Claims 1-19 are rejected under 35 U.S.C. § 101 because the disclosed invention is inoperative and therefore lacks utility.

11. The method and apparatus as claimed are well known in the art for directing electron beams in applications such as electron beam lithography system and it is known that No antigravitational effects occur. Such effects would have disrupted the operation of such a system. The electron gravitation mass has been measured at $m = 9.11 \times 10^{-31}$ kg and is known to be three dimensional spherical shell, Not two-dimensional plane wave. Therefore, the gravitational mass and the space-time

curvature of the electrons are Not affected by the electric, magnetic and/or electromagnetic fields disclosed by applicant.

12. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

13. The specification is objected to under 35 U.S.C. § 112, first paragraph, as failing to provide an enabling disclosure as explained above. Claims 1-19 are rejected under 35 U.S.C. § 112, first paragraph, for the reasons set forth in the objection to the specification.

Claim Rejections - 35 USC § 102

14. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

15. Claims 1-19 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by WO 90/16073 (Mills) 12/1990. Mills discloses a method of providing a repulsive force from a gravitating mass comprising the steps of: providing an element of matter; forming said element of matter into negative curvature wherein a repulsive force away from said gravitating mass is created; applying energy from

an energy source to said element of matter having negative curvature; applying a field from a field source to said element of matter having negative curvature; receiving the repulsive force on said field source from the said element of matter in response to the force provided by said gravitating mass and said element of matter (see claims).

16. Claims 1-19 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by WO 95/32021 (Mills) 11/1995. Mills discloses a method of providing a repulsive force from a gravitating mass comprising the steps of: providing an element of matter; forming said element of matter into negative curvature wherein a repulsive force away from said gravitating mass is created; applying energy from an energy source to said element of matter having negative curvature; applying a field from a field source to said element of matter having negative curvature; receiving the repulsive force on said field source from the said element of matter in response to the force provided by said gravitating mass and said element of matter (see claims).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Johnnie L Smith II whose telephone number is

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703-305-0380. The examiner can normally be reached on Monday-Thursday 7-4 P.M. and Alternate Fridays.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John R Lee can be reached on 703-308-4116. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.



JLSII

Johnnie L Smith II
Examiner
Art Unit 2881



JOHN R. LEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800